

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:05-CR-287

v.

HON. ROBERT HOLMES BELL

DARNELL BETTS,

Defendant.

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MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #39). Based on a review of defendant's motion, the Sentence Modification Report, submission by defense counsel, and the original criminal file, the Court has determined that the motion should be denied for the following reason(s):

Defendant was sentenced under the career offender guideline pursuant to U.S.S.G. § 4B1.1, and accordingly is not eligible for a reduction in sentence under 18 U.S.C. §3582(c)(2).

Dated: August 18, 2009

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE